

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**JEFFERY BELL,**

Plaintiff,

v.

**UNITED STATES OF AMERICA,**

Defendant.

No. 3:15-cv-02176-MO

ORDER OF DISMISSAL

**MOSMAN, J.,**

On October 4, 2018, Plaintiff's death was noted by Defendant's Motion to Dismiss [146]. Federal Rule of Civil Procedure 25(a) provides that if a motion for substitution "is not made within 90 days after service of a statement noting the death, the action by or against the decedent must be dismissed." No motion for substitution has been made. Therefore, in accordance with Federal Rule of Civil Procedure 25(a), Defendant's Motion to Dismiss [146] is GRANTED. Plaintiff's First Amended Complaint [31] is DISMISSED without prejudice.

DATED this \_\_\_\_ day of January, 2019.

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MICHAEL W. MOSMAN  
Chief United States District Judge